

GEHRING & SATRIALE LLC
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**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MORGAN STANLEY SMITH BARNEY LLC,

Plaintiff,

v.

KEVIN WHITEHEAD,

Defendant.

Case No. 10 CIV 2830 (PAC)

ECF Case

BOND

WHEREAS, by Order, dated March 31, 2010, of the above-entitled Court, Plaintiff is required to file an undertaking in the sum of Fifty Thousand Dollars (\$50,000.00), and

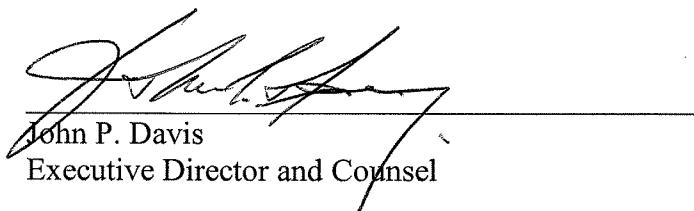
WHEREAS, the Court has permitted Plaintiff to serve as its own surety.

NOW, THEREFORE, MORGAN STANLEY SMITH BARNEY LLC, in consideration of the premises and the issuance of said Order does hereby undertake to pay all costs and disbursements that may be decreed to Defendant and such damages not exceeding the amount of Fifty Thousand Dollars (\$50,000.00) as the Defendant may sustain by reason of any restraints entered against him, if the same is found wrongful and without sufficient cause.

I declare under penalty of perjury that the foregoing is true and correct. Executed on April 1, 2010.

MORGAN STANLEY SMITH BARNEY LLC

By:


John P. Davis
Executive Director and Counsel